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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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| | Application No. | Applicant(s) | |
| | 10/813,910 | SCHNEIDER, RICHARD | j. |
| Office Action Summary | Examiner | Art Unit | , |
| | Benjamin W. Lee | 3714 | |
| The MAILING DATE of this communication a | ppears on the cover sheet w | th the correspondence address | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REP WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory perions. - Failure to reply within the set or extended period for reply will, by state the period for reply will, by state the period for reply will, by state the period for reply will, by state than three months after the main earned patent term adjustment. See 37 CFR 1.704(b). | DATE OF THIS COMMUNION 1.136(a). In no event, however, may a solution of will apply and will expire SIX (6) MONIUTE, cause the application to become AE | CATION. eply be timely filed ITHS from the mailing date of this communicati ANDONED (35 U.S.C. § 133). | |
| Status | | | |
| 1) Responsive to communication(s) filed on <u>02</u> | April 2007. | • | |
| 2a) ☐ This action is FINAL . 2b) ☑ The | nis action is non-final. | | |
| 3) Since this application is in condition for allow closed in accordance with the practice under | • | • | is |
| Disposition of Claims | | | |
| 4) | rawn from consideration. and 58-62 is/are rejected. | ne application. | |
| Application Papers | | | |
| 9) The specification is objected to by the Exami 10) The drawing(s) filed on is/are: a) and applicant may not request that any objection to the | ccepted or b) objected to ne drawing(s) be held in abeya | nce. See 37 CFR 1.85(a). | (d) |
| Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the | · | • | (u). |
| Priority under 35 U.S.C. § 119 | | | |
| 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume application from the International Bure * See the attached detailed Office action for a life. | ents have been received. ents have been received in A riority documents have been eau (PCT Rule 17.2(a)). | application No received in this National Stage | |
| Attachment(s) | | | |
| Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date | Paper No(| Summary (PTO-413) s)/Mail Date nformal Patent Application | |

DETAILED ACTION

1. Claims 1-12, 15, 17-29, 31-40, 42-49, 51-55, and 58-62 are pending in this application. Claims 13, 14, 16, 30, 41, 50, 56, and 57 have been cancelled. Claims 1, 6, 11, 12, 1517-26, 28, 34, 38-40, 42-46, and 51 have been amended.

Specification

2. The disclosure is objected to because of the following informalities: "display 214" at the bottom of page 5 of the applicant's amendments should be --display 212--

Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 27, 29, 39, 40, 47, 48, and 53-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 27, 29, 39, 40, 47, 48, 53, and 55: The phrase "such as" renders the claims indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Re claim 54: The claim recites the limitation "monetary value used" in line 2. The limitation "monetary value used" renders the claim indefinite because it is unclear whether "monetary value used" encompasses money going into a gaming machine (e.g. "received" and "accepted"), money going out of a gaming machine (e.g. "output" and "paid", or both money going into and out of the gaming machine. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 6. Claims 1, 2, 7, 12, 21, 23, and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada (US 5,496,032).

Re claim 1: Okada discloses a system for managing a gaming hall comprising a gaming device/slot machine 15a1 containing a game to be played by a user (see col. 4, lines 12-14), a value tracker structured to track an amount of monetary value accepted into the gaming device, and to track an amount of monetary value output from the gaming device (see col. 5, lines 48-60), and a warning generating system structured to generate a warning signal based on a comparison of the monetary value accepted into the gaming device and the monetary value output from the gaming device for more than one given time period (see col. 7, lines 41-52). The

monetary value comparison is calculated for more than one given time period (see Fig. 5; col. 8, line 65 - col. 9, line 5).

Re claims 2 and 7: Okada further discloses the value tracker tracks an amount of tokens accepted into and output from the gaming device (see col. 5, lines 51-54).

Re claim 12: Okada further discloses the value tracker is structured to track jackpots/big bonus/normal bonus/small bonus (see Fig. 6; col. 10, lines 43-52).

Re claim 21: Okada further discloses the warning signal is generated on a display screen 29 coupled to a gaming network (see Fig. 1; col. 8, lines 45-46).

Re claims 23 and 25: Okada further discloses the value tracker and warning generating system are resident on a network to which the gaming device is coupled (see Fig. 1).

7. Claim 51-55 and 59 are rejected under 35 U.S.C. 102(b) as being anticipated by Bell et al. (US 5,505,461, hereinafter Bell).

Re claims 51, 52, and 59: Bell discloses a method for providing an accounting safeguard on a networked gaming device, comprising recording an amount of monetary value paid by the gaming device/payout (see Fig. 3), comparing the amount of monetary value paid by the gaming device to one or more predetermined values, including obtaining the amount of monetary value

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paid by the gaming device, subtracting an amount of monetary value accepted into the gaming device to obtain a difference value, and comparing the difference value to one or more predetermined values (i.e. monetary value accepted into the gaming device/net jackpot winnings, see col. 1, lines 59-67), and issuing a warning if the amount of monetary value paid by the gaming device exceeds the one or more predetermined values (i.e. prohibiting a game on the gaming device from operating if the gaming device issues a warning/locking up the machine, see Fig. 2).

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Re claims 53 and 55: The teachings of Bell as applied to claim 51 above have been discussed. Bell further discloses that tokens, coins, and credits accepted into and paid out by the gaming machine are tracked (see Fig. 4; col. 3, lines 61-63).

Re claim 54: The teachings of Bell as applied to claim 51 above have been discussed.

Bell further discloses one of the predetermined values is an amount of monetary value used by the gaming device during a time period (i.e. one playing session, see abstract).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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10. Claims 3-6 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of LeStrange et al. (US 5,470,079, hereinafter LeStrange).

The teachings of Okada as applied to claims 2 and 7 above have been discussed.

However, Okada fails to disclose tracking credits or cash equivalents transferred to or from a gaming network, a player account, a player account, a physical device, a card, a smartcard, a coupon or a ticket from or to a gaming device.

LeStrange teaches a game machine accounting and monitoring system that tracks credit cards, smart cards, or other data cards containing credit accounts (see col. 4, line 64 - col. 5, line 5).

Therefore, in view of LeStrange, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the management method for the gaming hall of Okada to include the management and accounting of cashless forms of payment (i.e., credit

cards, smart cards, and player accounts) in order to encourage more people to use the game machine by providing more convenient payment options.

11. Claims 15, 17-19, 22, 24, 26-29, 31, 32, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada.

Re claims 15, 18, and 19. The teachings of Okada as applied to claim 1 above have been discussed.

However, Okada fails to explicitly disclose the time period is resettable, the time period is one hour, or the time period equals a duration of a casino employee work shift. The examiner notes that Okada implies that the time interval may be different ("for example") (see col. 8, line 66 - col. 9, line 5).

Applicant has not disclosed that making the time period resettable or altering the duration of the time period solves any stated problem or is for any particular purpose. Moreover, it appears the time period of 30 minutes disclosed by Okada would perform equally well as applicant's invention

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the time period of Okada such that the time period is resettable and the duration of the time period is altered because such a modification would have been considered a mere design consideration which fails to patentably distinguish over Okada.

Re claim 17: The teachings of Okada as applied to claim 1 above have been discussed.

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However, Okada fails to disclose one or more time periods can operate concurrently.

The examiner takes Official Notice that both the concept and advantages of statistical monitoring across multiple concurrent time periods was well known and expected in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the security system monitor multiple concurrent time periods in order to observe both short term and long term trends.

Re claims 22 and 24: The teachings of Okada as applied to claim 1 above have been discussed.

However, Okada fails to disclose the value tracker or warning generating system is resident on the gaming device.

Applicant has not disclosed that making placing the value tracker or warning generating system on the gaming device solves any stated problem or is for any particular purpose.

Moreover, it appears the external value tracker and warning generating system of Okada would perform equally well as applicant's invention.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to move the value tracker and warning generating system onto the gaming device in order to reduce the number of separate devices.

Re claim 26: Okada discloses a gaming system comprising a gaming device/slot machine 15a1 containing a game to be played by a user (see col. 4, lines 12-14), one or more money trackers structured to track an amount of monetary value accepted into the gaming device, and to

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track an amount of monetary value output from the gaming device (see col. 5, lines 48-60), a data calculation system/local computer 27 coupled to the one or more money trackers, the data calculation system configured to generate a payout warning based on the amount of monetary value accepted into the gaming device and the amount of monetary value output from the gaming device (see col. 3, lines 22-30; col. 5, lines 61-63), and a warning generating system coupled to the data calculation system, the warning generating system configured to generate a warning signal responsive to the payout warning of the data calculation system (see col. 8, lines 33-44).

However, Okada fails to disclose the data calculation system is configured to exclude jackpot payouts in the amount of monetary value output from the gaming device.

Applicant has admitted that handpay procedures wherein a casino employee pays out single wins over a threshold amount instead of the machine providing the payout is old and well known in the art (see page 2 of specification). Since the jackpot is paid by the casino employee, the gaming machine does not provide "monetary value output" to the winner of the jackpot since the casino employee provides the winner with monetary value.

Therefore, in view of applicant's admitted prior art, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the data calculation system of Okada to exclude jackpot payouts in the amount of monetary value output from the gaming device in order to accommodate gaming machines that only provide jackpots via handpays.

Re claims 27-29: The teachings of Okada as applied to claim 26 above have been discussed. Okada further discloses the one or more money trackers track an amount of tokens

accepted into, used by, and output from the gaming device during a time period (see col. 2, lines 39-41; col. 5, lines 51-54; col. 8, lines 49-51).

Re claims 31 and 32: The teachings of Okada as applied to claim 26 above have been discussed. Okada further discloses the warning signal is a visual signal on the CRT 29 (see Fig. 1; col. 8, lines 45-46) and an audible sound on the buzzer 32 (see Fig. 1; col. 5, lines 7-8).

Re claims 35 and 36: The teachings of Okada as applied to claim 26 above have been discussed. Okada further discloses the warning signal comprises creating a list of suspect gaming devices (see Fig. 4; col. 8, lines 61-64) and creating an entry in an event log/print out hard copies of the data (see col. 8, lines 15-21).

Re claim 37: The teachings of Okada as applied to claim 26 above have been discussed.

Okada further discloses the warning generating system shuts down the gaming device responsive to the payout warning signal (see col. 5, lines 3-7).

12. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Solomon (US 2004/0033832 A1).

The teachings of Okada as applied to claim 1 above have been discussed.

However, Okada fails to explicitly disclose the value tracker is structured to track the amount of monetary value accepted into and output by the gaming device in real time.

Solomon discloses monitoring money instruments on a game by game basis in real time (see \P [0010], lines 5-8).

Therefore, in view of Solomon, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the system of Okada to function in real time in order to increase the probability of detecting problems early.

13. Claims 33 and 34 are rejected under 35 U:S.C. 103(a) as being unpatentable over Okada in view of Oles et al. (US 2003/0060280 A1, hereinafter Oles).

The teachings of Okada as applied to claim 26 above have been discussed.

Oles teaches a casino money handling system with a gaming machine networked to a control station. The link may be wired or wireless and cites the IEEE 802.11b wireless standard as an example (see ¶ [0062]). An IEEE 802.11b wireless network contains a plurality of radios monitoring the same frequency.

Therefore, in view of Oles et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the wired optical connection between the local computer and gaming machine of Okada with a wireless IEEE 802.11b wireless network in order to reduce the number of wires necessary in the system. The warning signal would be transmitted wirelessly form the local computer to the gaming machine in order to halt operation.

14. Claim 38-40, 42, and 45-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of Kloss et al. (US 5,531,309, hereinafter Kloss).

Re claim 38: The teachings of Okada as applied to claim 1 above have been discussed. Although Okada is silent with respect to a data transmitter coupled to the warning calculator and structured to transmit the warning signal over a communication network coupled to the gaming device, a data transmitter is believed to be inherent to the invention because the gaming machines are networked (see Fig. 1; col. 4, lines 49-54).

However, Okada fails disclose the warning calculator is structured to omit one or more transactions of monetary value generated by the gaming device when determining whether to generate the payout warning signal.

Kloss discloses a coin acceptor in a gaming machine that discards transactions involving invalid coins (see col. 4, lines 21-29).

Therefore, in view of Kloss, it would have been obvious to one of ordinary skill in the art at the time to add the coin acceptor of Kloss. to the gaming machine of Okada in order to remove invalid coin transactions from the process of determining whether to generate the payout warning signal.

Re claims 39 and 40: The teachings of Okada as modified by Kloss as applied to claim 38 above have been discussed. Okada further discloses the input accounter and output accounter are structured to track tokens accepted into and output from a gaming device (see col. 5, lines 51-54).

Re claim 42: The teachings of Okada as modified by Kloss as applied to claim 38 above have been discussed. Okada further discloses the warning calculator comprises a

comparator/computer structured to compare one or more calculated values with one or more predetermined values (see col. 5, lines 61-63; col. 8, lines 25-32).

Re claim 45: The teachings of Okada as modified by Kloss as applied to claim 38 above have been discussed. Although Okada is silent with respect to a shutdown circuit structured to prevent gameplay when it receives the warning signal, it is believed to be inherent to the invention since the operation of the game machine may be halted by a warning signal (see col. 5, lines 5-7).

Re claim 46: The input accounter, output accounter, and warning calculator of Okada as modified by Kloss as applied to claims 1 and 28 above have been discussed. Okada further discloses a warning generator (CRT 29, buzzer 32) coupled to the warning calculator structured to generate a warning signal responsive to receiving the payout warning signal (see Fig. 1; col. 5, lines 3-7; col. 8, lines 15-21).

Re claims 47 and 48: The teachings of Okada as modified by Kloss as applied to claim 46 above have been discussed. Okada further discloses the input accounter and output accounter tracks tokens accepted into and output from the gaming device (see col. 5, lines 51-54).

15. Claims 43 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada as modified by Kloss as applied to claim 38 above, and further in view of Bell.

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The teachings of Okada as modified by Kloss as applied to claim 38 above have been discussed.

However, the teachings of Okada fail to disclose or fairly suggest the comparison between the monetary value generated and the monetary value accepted is a simple subtraction.

Bell discloses a method for meeting IRS reporting requirements related to an electronic gaming machine. If a user's net winnings (monetary value output less monetary value input) are above a threshold level (IRS limit), the machine is locked, a hand pay is provided, and a W2-G form is produced (see Fig. 3; col. 1, lines 59-67).

Therefore, in view of Bell, it would have been obvious to one of ordinary skill in the art to add the feature of payout warning signals based on the net payout of a machine being above a threshold amount to the system of Okada as modified by Kloss in order to eliminate the need to prepare a W2=G form every time payout exceeds the IRS threshold.

16. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada as modified by Kloss as applied to claim 46 above, and further in view of Bell.

The teachings of Okada as modified by Kloss as applied to claim 46 above have been discussed.

However, the teachings of Okada as modified by Kloss fail to disclose the warning calculator is structured to generate the payout warning signal when the monetary value generated by the gaming device during a time period less the monetary value input accepted in to the gaming device during the time period is above a threshold amount.

Bell discloses a method for meeting IRS reporting requirements related to an electronic gaming machine. If a user's net winnings (monetary value output less monetary value input) are above a threshold level (IRS limit), the machine is locked, a hand pay is provided, and a W2-G form is produced (see Fig. 3; col. 1, lines 59-67).

Therefore, in view of Bell, it would have been obvious to one of ordinary skill in the art to add the feature of payout warning signals based on the net payout of a machine being above a threshold amount to the system of Okada as modified by Kloss in order to eliminate the need to prepare a W2=G form every time payout exceeds the IRS threshold.

17. Claims 58 and 60-62 rejected under 35 U.S.C. 103(a) as being unpatentable over Bell in view of Okada.

Re claim 58: The teachings of Bell as applied to claim 51 above have been discussed.

However, Bell fails to disclose issuing different types of warnings based on different levels of threshold amounts.

Okada discloses issuing a warning if the amount of monetary value paid by the gaming device exceeds the one or more predetermined values comprises when the monetary value paid by the gaming device exceeds the highest of the one or more predetermined values, issuing a first type of warning/abnormality in red (see col. 10, lines 25-31) and when the amount of monetary value paid by the gaming device does not exceed the highest of the one or more predetermined values, but does exceed a second highest of the one or more predetermined values, issuing a second type of warning/abnormality in yellow (see col. 10, lines 25-31).

Therefore, in view of Okada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate multiple warning levels into the system of Bell in order to differentiate between minor warnings and severe warnings.

Re claim 60 and 61: The teachings of Bell as applied to claim 51 above have been discussed.

However, Bell fails to explicitly disclose issuing a warning comprises a visual signal or an event log entry.

Okada discloses issuing a warning comprises a visual signal on the CRT 29 (see Fig. 1; col. 8, lines 45-46) and an event log entry/print out hard copies of the data (see col. 8, lines 15-21).

Therefore, in view of Okada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add visual warnings and event logs in order to provide casino operators with convenient ways of detecting warnings.

Re claim 62: The teachings of Bell as applied to claim 51 above have been discussed.

However, Bell fails to explicitly disclose transmitting a warning signal over a gaming network.

Okada discloses transmitting a warning signal over a gaming network. The shut down signal is transmitted over a gaming network (see Fig. 1; col. 5, lines 3-7).

Therefore, in view of Okada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the system of Bell on a network in order to provide casino operators with centralized administration of the gaming machines.

Response to Arguments

18. Applicant's arguments filed 04/02/2007 have been fully considered but they are not persuasive.

Newly added claim features in the independent claims have been fully addressed in the above rejection of the claims.

In response to applicant's argument that Okada does not disclose "a warning generating system that is structured to generate a warning signal based on a comparison of the monetary value accepted into a gaming device and the monetary value output form the gaming device for more than one given time period", the examiner respectfully disagrees. Okada discloses the warning calculations are calculated in consecutive time periods (see Fig. 5; col. 8, line 65 - col. 9, line 5). Based on upon the applicant's arguments, it appears the applicant interprets the claim limitation to mean that *duration* of multiple periods may be different (e.g. 30 minutes, 1 day, 1 week, etc.). However, the claim limitation "for more than one given time period" does not indicate anything about the length/duration of the time periods and simply indicates that there must be more than one time period.

In response to applicant's argument that Okada does not disclose or suggest the limitation omitting one or more transactions of monetary value generated by a gaming device when determining whether to generate a payout warning signal regarding claims 38 and 46, the

In the previous rejection of claim 41, the examiner did not depend on Okada to teach this limitation. Claim 41 was rejected in the previous Office Action under 35 U.S.C. 103 using the Okada and Kloss references. Accordingly, claim 38 has been rejected under 35 U.S.C. 103 using the same references. The examiner notes that the applicant did not provide an argument regarding why the use or combination of the Kloss reference is improper.

Regarding amended claim 51, the examiner has provided new grounds of rejection using the Bell reference under 35 U.S.C. 102.

Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin W. Lee whose telephone number is 571-270-1346. The examiner can normally be reached on Mon - Fri (8:30 - 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Benjamin W. Lee June 25, 2007

KIM NGUYEN PRIMARY EXAMINER